

In 2013, Niger made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government rescued more than 400 children from street begging, secured five child-trafficking convictions, and increased the budget for each regional labor inspectorate from \$6,000 to \$12,000. The Government also participated in several programs to combat the worst forms of child labor and assist vulnerable households. However, children in Niger continue to engage in child labor in agriculture and in the worst forms of child labor in mining. Gaps in legislation also put children at risk, and child labor laws are not fully enforced.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Niger continue to engage in child labor in agriculture and in the worst forms of child labor in mining.(1) Data from the 2009 National Child Labor Survey indicate that more than 30 percent of children ages 5 to 17 are engaged in hazardous work. Data also revealed that child labor is more prevalent in rural areas and among girls.(2) Table 1 provides key indicators on children’s work and education in Niger.

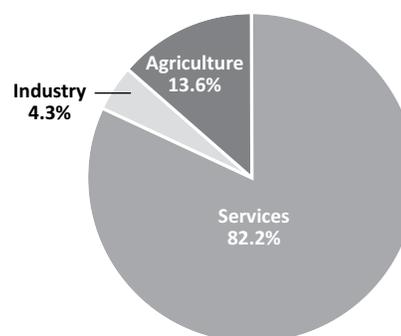
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	47.8 (1,561,570)
Attending School (%)	5-14 yrs.	51.7
Combining Work and School (%)	7-14 yrs.	26.3
Primary Completion Rate (%)		49.3

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.(3)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from National Survey of Child Labor (Enquete Nationale sur le Travail des Enfants), 2009.(4)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of pepper* and rice* (5)
	Herding of cattle* and goats* (5)
	Fishing,* activities unknown (1)
Industry	Mining† for trona, salt, gypsum, natron,* and gold (1, 6-10)
	Quarrying,† including crushing rocks* (1)
	Mechanical repair,* welding,* and metal work* (1)
	Work in construction*† (2)
	Work in tanneries* (1)
Services	Work in slaughterhouses* (1)
	Street work, including vending* (1, 2, 6)
Categorical Worst Forms of Child Labor‡	Domestic service (1, 2)
	Commercial sexual exploitation sometimes as a result of human trafficking* (8, 11)
	Caste-based servitude, including as cattle herders,* agricultural workers, and domestic servants (12)
	Forced begging (8, 11, 13)
	Domestic service and mining, sometimes as a result of human trafficking* (11)

* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

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Traditional forms of caste-based servitude, such as the use of women and girls as *wahaya*, still exist in parts of Niger, especially among the Tuareg, Djerma, and Arab ethnic minorities; in remote northern and western regions; and along the border with Nigeria.(8, 12) The *wahaya* practice allows a man to take a girl as a “fifth wife,” meaning as a slave (according to Islamic practices, men are allowed to have only four wives).(12, 14) *Wahaya* slaves, including children, are typically forced to work long hours as cattle herders, agricultural workers, or domestic servants, and are often sexually exploited.(12, 15) Children of *wahaya* wives are considered slaves as well and passed from one owner to another as gifts or as part of dowries. Both wives and children are often forced to perform domestic labor in their master’s household.(12, 14)

In Niger, it is also a traditional practice to send boys (called *talibés*) to Koranic teachers (*marabouts*) to receive education.(1, 16) However, some of these boys are forced by their teachers to beg on the streets and surrender the money they have earned, or perform manual labor.(1, 8)

In 2013, more than 4 million people were food insecure in Niger, and severe flooding affected the livelihoods of many communities.(17, 18) The ongoing conflict in Mali and insecurity in northeastern Nigeria has also resulted in thousands of refugees in Niger.(17) Refugee children may have difficulty accessing education, which could put them at increased risk of engaging in the worst forms of child labor.

II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

Niger has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established relevant laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 106 of the Labor Code (19)
Minimum Age for Hazardous Work	Yes	16	Decree No. 67-126/MFP/T (1, 20)
List of Hazardous Occupations Prohibited for Children	Yes		Decree No. 67-126/MFP/T (21)
Prohibition of Forced Labor	Yes		Article 14 of the Constitution; Article 4 of the Labor Code; Article 270 of the Penal Code (19, 22, 23)
Prohibition of Child Trafficking	Yes		Article 107 of the Labor Code; Article 10 of the Law on Combating Trafficking in Persons (19, 24)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 107 of the Labor Code; Article 291-292 of the Penal Code (19, 22)
Prohibition of Using Children in Illicit Activities	Yes		Article 107 of the Labor Code (19)
Minimum Age for Compulsory Military Recruitment	N/A*		

Table 4. Laws and Regulations Related to Child Labor (cont)

Standard	Yes/No	Age	Related Legislation
Minimum Age for Voluntary Military Service	Yes	18	Article 107 of the Labor Code (19)
Compulsory Education Age	Yes	18	Article 2 of the Law on the Orientation of the Educational System in Niger (25)
Free Public Education	Yes		Article 23 of the Constitution (23)

*No conscription or no standing military.

In Niger, the minimum age for hazardous work does not meet the international standard of 18.(1, 20) Penalties outlined in article 181 of the Penal Code for inciting a person to beg are low and may not deter violations.(22) Article 178 of the Penal Code also provides penalties for vagrancy, which is defined by article 177 as a person without a home or occupation. This law may compel children who live on the streets to engage in the worst forms of child labor.(22, 26)

In 2013, the Government revised the Labor Code; however, it has yet to be approved.(1) In addition, though primary education is free, the cost of school supplies keeps some children from attending school.(8)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment, Labor and Social Security (MELSS)	Enforce laws related to child labor by receiving complaints, investigating violations, and referring cases to courts.(1)
MELSS' Child Labor Division	Conduct studies on the scope and nature of child labor, raise awareness on child labor, and coordinate government efforts to eliminate child labor.(1)
National Human Rights Commission (CNDH)	Receive child labor complaints, investigate violations, and report violations to courts.(1)
Ministry of Population, Women's Promotion and Child Protection	Work with law enforcement officials to provide vulnerable children with services, including education and counseling, in 13 centers across the country.(1)
Ministry of Justice's Judicial Police Sections	Oversee cases involving juveniles at regional and district levels.(1)
District and Magistrate Courts	Address children's issues, including child labor, through 10 district courts and 36 magistrate courts.(1)
Regional and Vigilance Committees	Prevent child trafficking, dismantle trafficking rings, and raise awareness on the worst forms of child labor. In the case of vigilance committees, which work in 30 localities, report to the police suspected cases of illegal transport of minors.(1)

Law enforcement agencies in Niger took actions to combat child labor, including its worst forms.

Labor Law Enforcement

In 2013, the Ministry of Employment, Labor and Social Security (MELSS) employed 100 labor inspectors throughout Niger to enforce labor laws, including those related to child labor.(1) Niger has a labor inspectorate in each of the country's eight regions. Inspectors conduct both routine and complaint-based inspections, occasionally referring children rescued from the worst forms of child labor to government social services.(1) During the reporting period, labor inspectors received training on child labor and the budget for each labor inspectorate was doubled from \$6,000 to \$12,000.(1) However, the Government reports it lacked the human and material resources needed to carry out inspections.(27) Research could not identify the number of inspections, complaints, citations issued, prosecutions, and penalties assessed related to child labor.(1)

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Criminal Law Enforcement

In 2013, five individuals were convicted of child trafficking and NGOs, with the support of law enforcement, rescued 445 children exploited as street beggars by *marabouts*. There is no information as to whether the *marabouts* were prosecuted.(1) Ministry of Justice officials also received training on legislation related to slavery in January 2013.(28) Despite these efforts, both the MELSS and the Ministry of Justice indicated that the number of convictions related to the worst forms of child labor were inadequate given the magnitude of the problem.(1) Research could not find statistics on the criminal enforcement of laws related to the worst forms of child labor.(1)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6)

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee on Child Labor	Review proposals for action plans for the ILO-IPEC country program and ensure that they are consistent with national child labor policy and priorities.(1)
National Commission to Coordinate Efforts to Combat Trafficking in Persons (CNCLTP)	Coordinate efforts to combat human trafficking and develop policies and programs related to human trafficking.(1, 24, 26) Composed of five executive board members and 19 other members, including government ministries, CNDH, civil society organizations, women's rights groups, labor unions, judges, bar associations, and two foreign donor representatives, who act as observers.(1)
National Agency to Fight Against Trafficking in Persons (ANLTP)	Implement policies and programs developed by the CNCLTP; conduct awareness campaigns on human trafficking in conjunction with the CNCLTP; provide training and education to reduce the risk of human trafficking; and maintain a hotline to receive complaints of human trafficking.(1, 26)
National Committee to Combat the Phenomenon of Street Children	Coordinate activities to combat the phenomenon of street children. Located under the Ministry for the Promotion of Women and Child Protection.(10)
National Committee to Combat the Vestiges of Forced Labor and Discrimination	Establish a national action plan to combat the vestiges of forced labor and discrimination.(29)

In 2013, the President of the National Commission to Coordinate Efforts to Combat Trafficking in Persons (CNCLTP) was reassigned to a new position, which led to a temporary shutdown of CNCLTP and National Agency to Fight Against Trafficking in Persons (ANLTP) for months. This limited the CNCLTP and ANLTP's capacity to effectively coordinate activities related to the worst forms of child labor.(1, 30) Despite the shutdown, NGOs, the CNCLTP, and the police helped more than 800 vulnerable children.(1) The National Committee to Combat the Vestiges of Forced Labor and Discrimination did not meet during the reporting period due to a lack of resources.(28) The number of calls received by the ANLTP's hotline that involve child trafficking is unknown.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Niger has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

Policy	Description
National Action Plan to Combat the Sexual Exploitation of Children	Seeks to combat the sexual exploitation of children.(1)
Decent Work Country Program (2012–2015)	Describes the child labor situation in Niger and includes targets for the elimination of child labor.(21, 31)
National Education Development Plan*	Supports education for vulnerable children and includes child labor issues.(1)
Social and Economic Development Plan (2012–2015)	Describes Niger's overall development agenda, aims to prevent the worst forms of child labor, and calls for the adoption of the Nation Action Plan to Combat Child Labor.(32)
UN Development Assistance Framework (UNDAF) (2009–2013)	Promotes improved access to education for vulnerable children and aims to build the capacity of the government to address child labor.(33) The new UNDAF program will operate from 2014 to 2018.(34)

*The impact of this policy on child labor does not appear to have been studied.

The National Action Plan to Combat Child Labor (2010-2015) aims to eliminate the worst forms of child labor in Niger by 2015, and all forms of child labor by 2025. It also addresses child labor in a variety of sectors, including agriculture, mining, domestic labor, and begging.(10) However, the Plan has yet to be adopted.(1, 10) The Government also drafted, but did not adopt, a National Action Plan to Combat Trafficking in Persons.(10, 26)

VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2013, the Government of Niger participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

Program	Description
Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS I and II	USDOL-funded regional projects that supported ECOWAS to strengthen its role in combating the worst forms of child labor in the West Africa sub-region by providing policy and capacity-building support for all ECOWAS states.(35, 36)
Project to Combat Child Labor in Domestic Service	Government of France-funded, 3-year regional project to combat child labor in domestic service.(37)
UN World Food Program*	UN program that supports cash-for-work schemes and other initiatives to address food insecurity. More than 600,000 beneficiaries have received assistance in Niger.(38)
Niger Safety Net Project*	World Bank cash transfer and cash-for-work project that aims to establish a safety net system for vulnerable households. Targets more than 1 million beneficiaries; 60,000 beneficiaries receive cash for work benefits.(39)
Second Chance Community Literacy Education and Vocational Training Program*	Government program, in collaboration with Volunteers for Education Integration, (a local NGO) that provides vulnerable children with literacy education and vocational training opportunities.(1)
Resilience in the Sahel-Enhanced*	USAID program that helps vulnerable communities in Niger and Burkina Faso mitigate vulnerabilities, shocks, and stresses by facilitating inclusive growth.(40) Aims to reach 1.9 million beneficiaries.(41)
Migration Forum*	Government forum, with support from the ILO-IPEC and a local NGO, that combats youth rural to urban migration, especially among girls.(1)
Regional Program for West Africa	UNODC program that covers 15 countries and addresses human trafficking by supporting the ECOWAS Political Declaration on the Prevention of Drug Abuse, Illicit Drug Trafficking, and Organized Crimes in West Africa.(42)

*The impact of this program on child labor does not appear to have been studied.

Although Niger has programs that target child labor, the scope of these programs is insufficient to fully address the problem. Niger also lacks a specific program to assist children exploited by religious instructors.(16)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Niger (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Laws	Raise the minimum age for hazardous work to 18.	2009 – 2013
	Amend the Penal Code to provide for higher penalties for inciting people to beg and to ensure that street children are not compelled to engage in the worst forms of child labor.	2009 – 2013
	Adopt the new Labor Code.	2013
Enforcement	Increase resources to conduct labor inspections.	2009 – 2013
	Make efforts to increase the number of convictions related to the worst forms of child labor.	2010 – 2013
	Gather and publish information about the number of labor inspections, complaints, child labor law violations found, citations, criminal prosecutions initiated and issued, and the penalties applied.	2012 – 2013

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure that the CNLTP, ANLTP, and National Committee to Combat the Vestiges of Forced Labor and Discrimination have adequate personnel and resources to effectively coordinate activities related to the worst forms of child labor.	2011 – 2013
	Disaggregate complaints made to the ANLTP’s hotline by the number of children trafficked.	2013
Government Policies	Adopt and implement the National Action Plan to Combat Child Labor and the National Action Plan to Combat Trafficking in Persons.	2009 – 2013
	Assess the impact that existing policies may have on addressing child labor.	2013
Social Programs	Conduct research to determine the activities carried out by children working in fishing to inform policies and programs.	2013
	Ensure that children can complete primary school by subsidizing or defraying the cost of school supplies.	2013
	Ensure that all children have access to education, including refugees, and implement a program to address food insecurity.	2013
	Implement a program to target children exploited by religious instructors.	2011 – 2013
	Assess the impact that existing social programs may have on addressing child labor.	2011 – 2013
	Expand the scope of programs to address the worst forms of child labor, including in mining and caste-based servitude.	2009 – 2013

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